United Nations A/C.3/54/L.33

General Assembly

Distr.: Limited
28 October 1999

Original: English

Fifty-fourth session
Third Committee
Agenda item 116 (a)
Human rights questions: implementation of human rights instruments

Antigua and Barbuda, Bahamas, Barbados, Dominica, Egypt, Ethiopia, Grenada, Guyana, Iran (Islamic Republic of), Japan, Libyan Arab Jamahiriya, Malaysia, Nigeria, Pakistan, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Sierra Leone, Singapore, Sudan, Suriname, Syrian Arab Republic, Trinidad and Tobago and United Arab Emirates: amendments to draft resolution A/C.3/54/L.8

Question of the death penalty

Insert the following new preambular paragraphs after the third preambular paragraph:

Recalling that, as the compromise on the question of the inclusion or non-inclusion of the death penalty as a penalty available to the International Criminal Court, all States participating in the Rome Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court agreed to the inclusion of article 80 of the Rome Statute, and agreed also that the President of the Conference would read a statement to the plenary of the Conference on 17 July 1998,

Recalling further that, in his statement to the plenary on 17 July 1998, the President of the Conference declared that the debate at the Conference on the issue of which penalties should be applied by the Court showed that there is no international consensus on the inclusion or non-inclusion of the death penalty, and further that not including the death penalty in the Rome Statute would not in any way have a legal bearing on national legislations and practices with regard to the death penalty, nor should it be considered as influencing, in the development of customary international law or in any other way, the legality of penalties imposed by national systems for serious crimes,

Acknowledging that at the Rome Conference all States which retain the death penalty reaffirmed their sovereign right to impose the death penalty in accordance with the laws of their respective States, and also acknowledging that the debate on this issue produced a global recognition that there is no international consensus on the abolition of the death penalty.

99-31965 (E) 281099